

# Augustine Washington's Will

I Augustine Washington of the County of King George — Gentleman being sick and weak but of perfect disposing sence (sic) and memory. Do make my last will and Testament in manner following hereby revoking all former will or wills whatsoever by me heretofore made.

**Imprimis:** — I give unto my Son Lawrence Washington and his heirs forever all that plantation and tract of Land at Hunting Creek in the County of Prince William containing by estimate, two thousand and five hundred acres with the Water Mill adjoining thereto or lying near the same and all the Slaves, Cattle and Stocks of all Kinds whatsoever and all the Household Furnature (sic) whatsoever now in and upon or which have been commonly possessed by my said son, together with said plantation track of Land and Mill.

[ In plain English: Lawrence, Augustine's son by his first marriage to Jane Butler, inherited Hunting Creek (which he later named Mount Vernon) ]

**Item.** — I give unto my son Augustine Washington and his heirs forever all my lands in the County of Westmoreland except such only as are hereinafter otherwise disposed of together with twenty five head of neat Cattle forty hogs and twenty sheep and a negro man named Frank besides those negroes formerly given him by his mother.

[ Augustine's other son by his first marriage, Augustine, Jr., inherited the Popes Creek property (where George was born) ]

**Item.** — I give unto my said son Augustine three young working Slaves to be purchased for him out of the first profits of the Iron Works after my desase (sic).

**Item.** — I give to my son George Washington and his heirs the land I now live on which I purchased of the Executors of Mr. Wm Strother deceased. And one moiety of my land lying on Deeps Run and ten negro Slaves.

[ George inherited the land that is today called Ferry Farm. A "moiety" is one half ]

**Item.** — I give unto my son Samuel Washington and his heirs my land at Chotank in the County of Stafford containing about six hundred acres and also the other moiety (sic) of my land lying on Deeps Run.

**Item.** — I give unto my son John Washington and his heirs my Land at the head of Maddox in the County of Westmoreland containing about seven hundred acres.

**Item.** — I give unto my son Charles Washington and his heirs the land I purchased of my son Lawrence Washington whereon Thomas Lewis now lives, adjoining to my said son Lawrence's land above devised. I also give unto my said son Charles and his heirs the Land I purchased of Gabriel Adams in the County of Prince William containing about seven hundred acres.

**Item.** — It is my will and desire that all the rest of my negroes not herein particularly devised may be equally divided between my wife and my three sons Samuel, John and Charles, and that Ned, Jack, Bob, Sue, and Lucy may be included in my wife's part, which part of my said wife's, after her decease I desire may be equally divided between my sons George, Samuel, John and Charles, and part of my said negroes so devised to my wife I mean and intend to be in full satisfaction and in lieu of her dower in my negroes. But if she should insist notwithstanding on her right of Dower in my negroes I will and desire that so many as may be wanting to make up her share may be taken out of the negroes given hereby to my sons George, Samuel, John and Charles.

[ George's mother, Mary, was to receive 5 slaves, which Augustine intended to be her full inheritance of slaves. If Mary were to contest this after Augustine's death, saying that she deserved a greater number as her dower rights, the difference would have to be made up from the slaves given to his sons. ]

**Item.** — I give and bequeath unto my said wife and four sons George, Samuel, John and Charles, all the rest of my Personal Estate to be equally divided between them which is not particularly bequeathed by this will to my wife and it is my will and desire that my said four sons Estates may be kept in my wife's hands until they respectively attain the age of twenty one years, in case my said wife continues so long unmarried but in case she Should happen to marry before that time I desire it may be in the power of my Executors to oblige her husband from time to time as they shall think proper to give security for the performance of this my last will in paying and delivering my said four sons their Estates respectively as they come of age, or on failure to give such security to take my said sons and their estates out of the custody and tuition of my said wife and her husband.

[ Everything not specifically willed in this document was to be shared equally by Mary and her four sons. In addition, Mary was charged with managing the estates given to her sons until they should turn twenty one. If Mary remarried, her husband was responsible for managing the estates until the boys came of age. ]

**Item.** — I give and bequeath to my said wife the crops made at Bridge Creek, Chotank, and Rappahanock (sic) quarters at the time of my decease (sic) for the support of herself and her children and I desire my wife may have the liberty of working my land at Bridge Creek Quarters for the time of Five years after my decease, during which time she may fix a quarters on Deep Run.

**Item.** — I give to my son Lawrence Washington and the heirs of his body lawfully begotten forever that tract of Land I purchased of Mr. James Hooe adjoining to the Said Lawrence Washington's land on Maddox in the County of Westmoreland which I gave him in lieu of the land my said son bought for me in Prince William County of Spencer and Harrison and for want of such heirs then I give and devise the same to my son Augustine and his heirs forever.

**Item.** — I give to my said son Lawrence all the right title and interest I have to in or out of the Iron Works in which I am concerned in Virginia and Maryland provided that he do and shall, out of the profits raised thereby purchase for my son Augustine three young working slaves as I have herein before directed and also pay my daughter Betty when she arrives at the age Eighteen years the sum of four hundred pounds which right title and interest on the condition aforesaid I give to my said son Lawrence and his heirs forever.

[ Lawrence inherited the iron works with the provision that he must use some of the profits to buy three slaves for Augustine, Jr. and give Betty (George's sister) 400 pounds when she turned 18. ]

**Item.** — I give to my said daughter Betty a negro child named Mary daughter of Sue and an other named Betty daughter of Judy.

**Item.** — It is my will and desire that my sons Lawrence and Augustine do pay out of their respective Estates devised to them one half or moiety (sic) of the debts I justly owe and for that purpose I give and bequeath unto my said two sons one half of the debts owing to me.

[ Augustine willed half of his debts to Lawrence and Augustine Jr. that they were to pay out of their inheritance. ]

**Item.** — For as much as my several children in this will mentioned being of several venters cannot inherit from one another in order to make a proper provision against their dying without issue. It is my will and desire that in case my son Lawrence should die without heirs of his body lawfully begotten that then the land and Mill given him by this my will lying in the county of Prince William shall go and

remain to my son George and his heirs but in case my son Augustine should choose to have the said lands rather than the lands he holds in Maddox either by this will or any Settlement. Then I give and devise said lands in Prince William to my said son Augustine and his heirs on conveying the said lands in Maddox to my son George and his heirs. And in case my said son Augustine shall happen to die without issue of his body lawfully begotten, then I give and bequeath all the said lands by him held in Maddox to my son George and his heirs and if both sons Lawrence and Augustine should happen to die without issue of their several bodies begotten then my will and desire is that my son George and his heirs may have his and their choice either to have the lands of my son Lawrence or the lands of my son Augustine to hold to him and his heirs and the land of such of my said sons Lawrence and Augustine as shall not be so chosen by my son George or his heirs shall go to and be equally divided by my sons Samuel, John and Charles and their heirs share and share alike and in case my son George by the death of both or either of my sons Lawrence and Augustine should according to this my intention come to be possessed of either their lands then my will and desire is that said lands hereby devised to my said son George and his heirs should go over and be equally divided between my sons Samuel, John and Charles and their heirs share and share alike and in case all my children by my present wife should happen to die without issue of their bodies. Then my will and desire is that all the lands by this my will devised to any of my said children should go to my sons Augustine and Lawrence if living and to their heirs or if one of them should be dead without issue then to the survivor and his heirs. But my true Intent and meaning is that each of my children by my present wife may have their lands in fee simple upon the contingency of their arriving at full age or leaving heirs of their bodies lawfully begotten or on their dying under age and without lawful issue their several parts to descend from one to another according to their course of descent and the remainder of their or any of their land in this clause mentioned to my sons Lawrence and Augustine or the survivors of them is only upon the contingency of all my said children by my present wife dying under age and without issue living, my sons Lawrence and Augustine or either of them.

[ The key provision is that if Lawrence died without having children, Augustine, Jr. would then inherit Hunting Creek (provided he then gave Popes Creek to George). If Augustine, Jr. didn't want Hunting Creek, it would go to George. In fact, this is what happened. Lawrence had just one child - a daughter - but she died in childhood. When Lawrence died, Augustine, Jr. choose to stay at Popes Creek so George inherited Mount Vernon. Other provisions in this item detail how the properties should be dispersed in the event of various other deaths. ]

**Lastly.** -- I constitute and appoint my son Lawrence Washington and my good friends Daniel McLarity and Nathaniel Chapman — Gentlemen Executors of this my last will and Testament.

In witness whereof I have hereunto set my hand and Seal the Eleventh day of April 1743.

**AUGUSTINE WASHINGTON (L.S.)**

Signed sealed and published in the presence of us.

Robert Jackson  
Anthony Strother  
Jas Thompson

Provided further that if my lands at Chotank devised to my son Samuel should by course of law be taken away then I give to the said Samuel in lieu thereof a tract of Land in Westmoreland County where Benjamin Wicks and Thomas Finch now live by estimation seven hundred acres.

**Item.** — I bequeath to my son George one lot of land in the town of Fredericksburg which I purchased of Col. John Walton also two other lots in the said town which I purchased of the Executors of Colo. Henry Willis with all the houses and appurtenances thereunto belonging.

And whereas some proposals have been made by Mr. Anthony Strother for purchasing a piece of land where Matthew Tiffy lately lived now if my Executors shall think it for the benefit of my said son George then I hereby empower them to make conveyance of the said land and premices (sic) to the said Strother.

In witness whereof I have hereunto set my hand and Seal the Eleventh day of April 1743.

**AUGUSTINE WASHINGTON (L.S.)**

Signed sealed and published in the presence of us.

Robert Jackson  
Anthony Strother  
Jas Thompson

At a court held for King George County the 6th day of May 1743 The last will and testament of Augustine Washington Gent'n deceased was presented into Court by Lawrence Washington Gent'n one of the Executors who made oath thereunto and the same was provided by the oath of Anthony Strother and James Thompson admitted to Record.

A Copy Teste

HARRY TURNER — Clerk